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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,173	09/30/2003	Joshua Lindquist	MSFT5	5910
27488 7590 06/24/2008 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903				
EXAMINER				
HO, ANDY				
ART UNIT		PAPER NUMBER		
2194				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/675,173

Applicant(s)

LINDQUIST ET AL.

Examiner

ANDY HO

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed 10/19/2007.
2. Claims 1-20 have been examined and are pending in the application.

Claim Rejections - 35 USC § 112

3. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The applicant recites "The method of claim 16" on line 20, which is an inappropriate dependent. For the purpose of art rejection, it is interpreted as "The server of claim 16" as best understood and as it appears to be. Correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-2, 5-10 and 16-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Zdun 2002 Publication.

As to claim 1, Zdun teaches a method of providing a customized web part (customizing and modifying web objects, Sections 3-4 pages 4-5), comprising:

accessing a web part assembly which is capable of providing a presentation of a web part (accessing PoolPage that builds webpage having data objects or web objects, Section 3 page 4);

accessing a specification file associated with the web part (accessing XML page template files contain configurable description of the web pages and the objects stored within the pages, Sections 3-4 pages 4-5) wherein the specification file comprises data indicating whether the web part should be modified (changeable and extensible descriptions in the page templates, first paragraph of section 4 page 4); and

modifying the presentation of the web part in accordance with the specification file and the data indicating whether the web part should be modified to provide a modified presentation as at least part of the customized web part (changing information in the web objects according to XML page template files which contain configurable description of the web pages and the objects stored within the pages, Section 4.4 page 6, and Sections 3-4 pages 4-5).

As to claim 2, Zdun further teaches modifying the presentation of the web part in accordance with the specification file is performed by executing code embedded in the specification file (executing code of the XML page template files, Section 4.3 page 6).

As to claim 5, Zdun further teaches the web part consists essentially of compiled code (Section 3 page 4) and where the code embedded in the specification file has not been compiled (XML page template files are used to encode, Section 4 page 4-5).

As to claim 6, Zdun further teaches modifying the presentation of the web part in accordance with the specification file comprises the step of adding an element to the web part (adding information, last paragraph of Section 4.2 page 5).

As to claim 7, Zdun further teaches modifying the presentation of the web part in accordance with the specification file comprises the step of changing a characteristic of an existing element of the web part (changing information in the web objects, first paragraph of Section 4.4 page 6).

As to claim 8, Zdun further teaches modifying the presentation of the web part in accordance with the specification file comprises the step of deleting an element of the web part (remove a data element, last paragraph of Section 4.2 page 5).

As to claim 9, it is a computer readable medium claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 10, it is an apparatus claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 16, Zdun teaches a server (web server, Fig. 2 page 4) operative to: receive a request from a requesting device for a web page (receiving request for a web page from the client, Fig. 2 and associated specification);

access a web part assembly which is capable of providing a presentation of a web part (accessing PoolPage that builds webpage having data objects or web objects, Section 3 page 4);

access a specification file associated with the web part (accessing XML page template files contain configurable description of the web pages and the objects stored

within the pages, Sections 3-4 pages 4-5), wherein the specification file comprises data indicating whether the web part should be modified (changeable and extensible descriptions in the page templates, first paragraph of section 4 page 4);

modify the presentation of the web part in accordance with the specification file and the data indicating whether the web part should be modified to provide a modified presentation as at least part of the customized web part (changing information in the web objects according to XML page template files which contain configurable description of the web pages and the objects stored within the pages, Section 4.4 page 6, and Sections 3-4 pages 4-5);

render a web page representative of the modified presentation (dynamically builds the web page, Section 3 page 4); and

send the rendered web page to the requesting device (sending the web page to the user, Section 3 page 4).

As to claim 17, Zdun further teaches the specification file further comprises data indicating whether one or more object interfaces should be implemented for the web part (Section 4.3 page 6).

As to claim 18, Zdun further teaches the specification file defines an object interface implementation (Section 4.3 page 6).

As to claim 19, Zdun further teaches the specification file further comprises code for customizing the web part (Section 4.3 page 6).

As to claim 20, Zdun further teaches the specification file further comprises data indicating whether one or more object interfaces should be implemented

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for the web part and code for customizing the web part, wherein the specification file defines implementation of an object interface (Section 4.3 page 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zdun in view of Houghton U.S Patent No. 6,757,707.

As to claims 3-4, Zdun does not teach the code embedded in the specification file is HTML code or JAVA script. Houghton teaches in a system relating to web pages wherein a template file could contain HTML code or JAVA script (lines 10-52 column 13). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to have modified Zdun reference to include the teachings of Houghton reference because by having HTML code or JAVA script in a template file, the system could executing the code and generating the content of a website as disclosed by Houghton (lines 10-52 column 13).

6. Claims 11 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zdun in view of Rees U.S Patent No. 6,993,569.

As to claim 11, Zdun teaches a system for providing a customized presentation of a web part (customizing and modifying web objects, Sections 3-4 pages 4-5) comprising:

a web part assembly (PoolPage that builds webpage having data objects or web objects, Section 3 page 4) and a specification file (XML page template files contain configurable description of the web pages and the objects stored within the pages, Sections 3-4 pages 4-5), the web part assembly containing code for a web part presentation (PoolPage that builds webpage having data objects or web objects, Section 3 page 4) and the specification file relating to the presentation (XML page template files contain configurable description of the web pages and the objects stored within the pages, Sections 3-4 pages 4-5), the specification file comprises data indicating whether the web part should be modified (changeable and extensible descriptions in the page templates, first paragraph of section 4 page 4);

responsive to the code in the web part assembly for providing the web part presentation (PoolPage defines web objects, Section 3 page 4), and responsive to the code and the data indicating whether the web part should be modified in the specification file for modifying the web part presentation (changing information in the web objects according to XML page template files which contain configurable description of the web pages and the objects stored within the pages, Section 4.4 page 6, and Sections 3-4 pages 4-5).

Zdun teaches a system of using a web server to provide web pages to a client (Fig. 2 page 4). However, Zdun does not explicitly teach a storage device and a processing device.

Rees teaches a system comprising a web server providing web pages to a client wherein programs running in the web server need to be stored in a memory and executed by a processor (line 62 column 2 to line 14 column 3). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to have modified Zdun reference to include the teachings of Rees reference because a memory and a processor are required operating elements wherein such elements are used by a web server to process a client's request and provide a web page to the client as disclosed by Rees (line 62 column 2 to line 14 column 3).

As to claim 14, Zdun as modified further teaches the code embedded in the specification file is not compiled code (XML page template files are used to encode, Section 4 page 4-5).

As to claim 15, Zdun as modified does not teach a first and second storage devices that are used to store the web part assembly and the specification file. Rees teaches a system having a storage subsystem. The storage subsystem may include a memory, a hard disk drive...that store computer programs running in the server (line 62 column 2 to line 14 column 3). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to have modified Zdun reference to include the teachings of Rees reference because the elements of a storage subsystem are required operating elements wherein such elements are used by a web server in the

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process of executing a client's request and providing a web page to the client as disclosed by Rees (line 62 column 2 to line 14 column 3).

7. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zdun in view of Rees, and further in view of Houghton.

As to claims 12-13, Zdun as modified does not teach the code embedded in the specification file is HTML code or JAVA script. Houghton teaches in a system relating to web pages wherein a template file could contain HTML code or JAVA script (lines 10-52 column 13). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to have modified Zdun reference as modified to include the teachings of Houghton reference because by having HTML code or JAVA script in a template file, the system could executing the code and generating the content of a website as disclosed by Houghton (lines 10-52 column 13).

Response to Arguments

8. Applicant's arguments have been fully considered but they are not persuasive.

Applicant argues that Zdun reference does not teach the specification file comprises data indicating whether the web part should be modified, and modify the web part in accordance with the specification file and the data indicating whether the web part should be modified (Remarks, Section IV pages 8-10). In response, Zdun teaches (Sections 3-4 pages 4-5) dynamically customizing and modifying web objects using page templates wherein these page templates contain changeable and extensible

descriptions (first paragraph of section 4 page 4). It is clear that these changeable and extensible descriptions comprise information indicating required changes to the web objects. The reference meets the limitation as claimed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.
- OFFICAL faxes must be signed and sent to (571) 273 - 8300.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

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/Andy Ho/

Primary Examiner

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